

Fill in this information to identify the case:

Debtor 1 Robert Rizzo

Debtor 2 Maria L. Rizzo
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of New York

Case number 8-15-71535-las

Official Form 410S1

Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. Bank Trust National Association, as
Trustee of the Tiki Series III Trust

Court claim no. (if known): 29-1

Last 4 digits of any number you use to
identify the debtor's account: 3 2 1 5

Date of payment change:
Must be at least 21 days after date
of this notice 02/01/2019

New total payment: \$ 2,696.50
Principal, interest, and escrow, if any

Part 1: Escrow Account Payment Adjustment**1. Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$ 987.58 New escrow payment: \$ 1,217.75

Part 2: Mortgage Payment Adjustment**2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____% New interest rate: _____%

Current principal and interest payment: \$ _____ New principal and interest payment: \$ _____

Part 3: Other Payment Change**3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____ New mortgage payment: \$ _____

Debtor 1 **Robert Rizzo**
First Name Middle Name Last Name

Case number (if known) **8-15-71535-las**

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

X/s/ Michael J. Egan

Signature

Date **01/08/2019**

Print: **Michael J. Egan**
First Name Middle Name Last Name

Title **Bankruptcy Asset Manager**

Company **SN Servicing Corporation**

Address **323 5th Street**
Number Street
Eureka CA 95501
City State ZIP Code

Contact phone **800-603-0836**

Email **bknotices@sns.com**

SN Servicing Corporation

Final

323 FIFTH STREET

EUREKA, CA 95501

For Inquiries: (800) 603-0836

Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Analysis Date: December 13, 2018

ROBERT RIZZO
MARIA L RIZZO
159 MIDDLEVILLE RD
NORTHPORT NY 11768

Loan:

Property Address:
159 MIDDLEVILLE ROAD
NORTHPORT, NY 11768

Annual Escrow Account Disclosure Statement Account History

This is a statement of actual activity in your escrow account from July 2018 to Jan 2019. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information	Current:	Effective Feb 01, 2019:
Principal & Interest Pmt:	1,478.75	1,478.75
Escrow Payment:	987.58	1,217.75
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$2,466.33	\$2,696.50

Escrow Balance Calculation	
Due Date:	Apr 01, 2018
Escrow Balance:	(5,936.94)
Anticipated Pmts to Escrow:	9,875.80
Anticipated Pmts from Escrow (-):	5,183.97
Anticipated Escrow Balance:	(\$1,245.11)

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	0.00
Jul 2018				8,899.68 *		0.00	(8,899.68)
Oct 2018		987.58		*		0.00	(7,912.10)
Nov 2018		987.58		*		0.00	(6,924.52)
Dec 2018		987.58		*		0.00	(5,936.94)
					Anticipated Transactions	0.00	(5,936.94)
Dec 2018		8,888.22					2,951.28
Jan 2019		987.58		5,183.97	City/Town Tax		(1,245.11)
	\$0.00	\$12,838.54	\$0.00	\$14,083.65			

An asterisk (*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling \$0.00. Under Federal law, your lowest monthly balance should not have exceeded \$0.00 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

SN Servicing Corporation
For Inquiries: (800) 603-0836
Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Final

Analysis Date: December 13, 2018

ROBERT RIZZO

Loan:

**Annual Escrow Account Disclosure Statement
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	(1,245.11)	3,860.97
Feb 2019	1,005.00			(240.11)	4,865.97
Mar 2019	1,005.00			764.89	5,870.97
Apr 2019	1,005.00	1,692.00	Homeowners Policy	77.89	5,183.97
May 2019	1,005.00	5,183.97	City/Town Tax	(4,101.08)	1,005.00
Jun 2019	1,005.00			(3,096.08)	2,010.00
Jul 2019	1,005.00			(2,091.08)	3,015.00
Aug 2019	1,005.00			(1,086.08)	4,020.00
Sep 2019	1,005.00			(81.08)	5,025.00
Oct 2019	1,005.00			923.92	6,030.00
Nov 2019	1,005.00			1,928.92	7,035.00
Dec 2019	1,005.00			2,933.92	8,040.00
Jan 2020	1,005.00	5,183.97	City/Town Tax	(1,245.05)	3,861.03
	<u>\$12,060.00</u>	<u>\$12,059.94</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of \$1,005.00. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed \$2,009.99 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (\$1,245.11). Your starting balance (escrow balance required) according to this analysis should be \$3,860.97. This means you have a shortage of \$5,106.08. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

We anticipate the total of your coming year bills to be \$12,059.94. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

New Escrow Payment Calculation

Unadjusted Escrow Payment	1,005.00
Surplus Amount:	0.00
Shortage Amount:	212.75
Rounding Adjustment Amount:	0.00
Escrow Payment:	<u>\$1,217.75</u>

Paying the shortage: If your shortage is paid in full, your new monthly payment will be \$2,483.75 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed. If you would like to pay the shortage now, please pay the entire amount of the shortage before the effective date of your new payment. To ensure that the funds are posted to your account correctly, please notify your asset manager that you are paying the shortage.

NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE: If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

*** Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated**

Michelle R. Ghidotti-Gonsalves, Esq. (SBN 27180)
 LAW OFFICES OF MICHELLE GHIDOTTI
 1920 Old Tustin Ave.
 Santa Ana, CA 92705
 Ph: (949) 427-2010
 Fax: (949) 427-2732
 mghidotti@ghidottilaw.com

Attorney for Creditor
 U.S. Bank Trust National Association as Trustee of the Tiki Series III Trust

UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF NEW YORK –Central Islip DIVISION

In Re:)	CASE NO.: 15-71535
)	
Robert Rizzo and Maria L. Rizzo,)	CHAPTER 13
)	
Debtors.)	CERTIFICATE OF SERVICE
)	
)	
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)	
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CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Avenue, Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On January 8, 2019 I served the following documents described as:

1 • **NOTICE OF MORTGAGE PAYMENT CHANGE**

2 on the interested parties in this action by placing a true and correct copy thereof in a sealed
3 envelope addressed as follows:

4 (Via United States Mail)

5 6 7 8 9 10 11 12 13 14	Debtor Robert Rizzo 159 Middleville Road Northport, NY 11768 Joint Debtor Maria L. Rizzo 159 Middleville Road Northport, NY 11768 Chapter 13 Trustee Marianne DeRosa Standing Chapter 13 Trustee 125 Jericho Tpke, Suite 105 Jericho, NY 11753	Debtor's Counsel Adam C Gomerman 807 East Jericho Turnpike Huntington Station, NY 11746 U.S. Trustee United States Trustee Long Island Federal Courthouse 560 Federal Plaza - Room 560 Central Islip, NY 11722-4437
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16 xx (By First Class Mail) At my business address, I placed such envelope for deposit with
17 the United States Postal Service by placing them for collection and mailing on that date
18 following ordinary business practices.

19 _____ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the
20 Eastern District of California

21 xx (Federal) I declare under penalty of perjury under the laws of the United States of
22 America that the foregoing is true and correct.

23 Executed on January 8, 2019 at Santa Ana, California

24 /s/ Lauren Simonton
Lauren Simonton